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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

SATANYA SPEARMAN, } CIVIL NO. 2:20-cv-01839-AC
Plaintiff, }
v. } STIPULATION TO VOLUNTARY
KILOLO KIJAKAZI,¹ } REMAND PURSUANT TO SENTENCE
Acting Commissioner of Social Security, } FOUR OF 42 U.S.C. § 405(g) AND TO
Defendant. } ENTRY OF JUDGMENT; [PROPOSED]
ORDER

IT IS STIPULATED by and between Plaintiff (“Plaintiff”) and Defendant Kilolo Kijakazi, Acting Commissioner of Social Security (“Defendant”), through their undersigned counsel of record, that the above-entitled action shall be remanded for further administrative proceedings.

¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 On remand, the Appeals Council will remand the case to an administrative law judge
2 (ALJ) for a new decision. The Appeals Council will instruct the ALJ to reevaluate the medical
3 evidence, and to take further action, as warranted, to complete the administrative record.

4 The parties further request that the Court direct the Clerk of the Court to enter a final
5 judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the
6 Commissioner. This stipulation constitutes a remand under the fourth sentence of Section
7 205(g) of the Social Security Act, 42 U.S.C. 405(g).

8 Dated: October 6, 2021

/s/ Matthew Franklin Holmberg *

(*as authorized via e-mail on October 4, 2021)
MATTHEW FRANKLIN HOLMBERG
Attorney for Plaintiff

11 DATED: October 6, 2021

PHILIP. A. TALBERT
Acting United States Attorney
DEBORAH LEE STACHEL
Regional Chief Counsel, Region IX
Social Security Administration

15 By: /s/ Andrea Banks

ANDREA BANKS
Special Assistant U.S. Attorney
Attorneys for Defendant

18 **ORDER**

19 Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of
20 42 U.S.C. § 405(g) and to Entry of Judgment, and for cause shown, IT IS ORDERED that the
21 above-captioned action is remanded to the Commissioner of Social Security for further
22 proceedings pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C. § 405(g),
23 sentence four. On remand, the Appeals Council will remand the case to an administrative law
24 judge for a new decision.

26 DATED: October 6, 2021


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE